

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

COMISIÓN EJECUTIVA
HIDROELÉCTRICA DEL RÍO LEMPA,

Plaintiff,

v.

NEJAPA POWER COMPANY, L.L.C.,

Defendant.

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Action No. 1:08-MC-00135-GMS

NEJAPA POWER COMPANY, L.L.C.'S NOTICE OF APPEAL

Notice is hereby given that Nejapa Power Company, L.L.C., defendant in the above-captioned case, appeals to the United States Court of Appeals for the Third Circuit from the Order entered July 18, 2008 (D.I. 2), granting Comisión Ejecutiva Hidroeléctrica del Río Lempa's Application for an Order Granting Assistance to Litigant Before Foreign Tribunal pursuant to 28 U.S.C. § 1782. Defendant Nejapa Power Company, L.L.C. further appeals the order, when and if entered, denying its Motion for Reconsideration of July 18, 2008 Order Granting Assistance to Litigant Pursuant to 28 U.S.C. § 1782, which motion was filed on July 25, 2008.¹

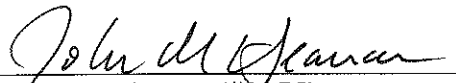
¹ Defendant Nejapa Power Company, L.L.C. is filing this Notice of Appeal in an abundance of caution. Its pending Motion for Reconsideration should operate to extend the time for filing a notice of appeal. Fed. R. App. P. 4(a)(4)(A). This Notice will become effective upon the disposition of that motion. Fed. R. App. P. 4(a)(4)(B)(i).

Respectfully submitted,

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August 15, 2008


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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of August, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to all registered participants.

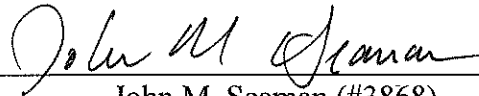
I also certify that on August 15, 2008, I caused to be served true and correct copies of the foregoing on the following as indicated below:

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